

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Young America's Foundation, *a Tennessee nonprofit corporation*, Students for a Conservative Voice, *a Registered Student Organization at the University of Minnesota*, and Ben Shapiro,

Plaintiffs,

v.

Eric W. Kaler, *President of the University of Minnesota, in his individual capacity*, Michael Berthelsen, *Vice President of University Services of University of Minnesota, in his official and individual capacities*, Matthew A. Clark, *Chief of Police of University of Minnesota, in his official and individual capacities*, Troy Buhta, *Lieutenant of University of Minnesota Police Department, in his official and individual capacities*, and Erik Dussault, *Assistant Director of Student Unions & Activities of University of Minnesota, in his official and individual capacities*,

Defendants.

Case No. 18-cv-1864 (SRN/HB)

**ORDER**

David A Cortman and Travis Christopher Barham, Alliance Defending Freedom, 1000 Hurricane Shoals Road NE, Suite D-1100, Lawrenceville, GA 30043; Jonathan Caleb Dalton, Alliance Defending Freedom – Center for Academic Freedom, 440 First Street NW, Suite 600, Washington D.C. 20001; Theodore C. Landwehr, Landwehr Law Offices, 4034 NE 7th Street, Columbia Heights, MN 55421; and Tyson Charles Langhofer, Alliance Defending Freedom, 44180 Riverside Pkwy., Lansdowne, VA 20176, for Plaintiffs.

Brian J. Slovut, Carrie Ryan Gallia, and Daniel J. Herber, University of Minnesota – Office of the General Counsel, 200 Oak Street SE, Suite 360, Minneapolis, MN 55455, for Defendants.

SUSAN RICHARD NELSON, United States District Judge

This matter is before the Court on remand from the opinion of the Eighth Circuit Court of Appeals, *see Young America's Foundation v. Kaler*, 14 F.4th 879 (8th Cir. 2021). The Eighth Circuit issued its mandate on November 8, 2021, returning jurisdiction to this Court [Doc. No. 110]. Consistent with the Eighth Circuit's opinion,

**IT IS HEREBY ORDERED** that

1. The Court's August 28, 2020 Order [Doc. No. 94] granting Defendants' Motion for Summary Judgment, denying Plaintiffs' Motion for Summary Judgment, and dismissing this matter with prejudice is **VACATED**.
2. The Court's August 31, 2020 Judgment [Doc. No. 95] is **VACATED**.
3. This matter is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: November 16, 2021

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge